

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-22 are currently pending.

II REJECTION OF CLAIMS 1-6, 9-13 AND 16-20 UNDER 35 USC 102(E)

AS BEING ANTICIPATED BY TANIGUCHI (US PATENT NO. 6,484,137)

Claim 1 recites (a) an extraction unit extracting a frame, which is unit data of audio data; (b) a speed conversion unit speed converting the extracted frame by thinning out the extracted frame or repeatedly outputting the extracted frame prior to decoding of the audio data; (c) a decoding unit decoding the speed converted frame; and (d) a reproduction unit reproducing audible sound represented by the audio data from the decoded frame.

For example, as can be seen in FIG. 12 of the present application, a speed conversion unit 23 speed converts an extracted frame. As can be seen in FIG. 12, the speed conversion is performed prior to decoding by decoding unit 26.

As disclosed on page 3, lines 11-21, of the present application, speed conversion is conventionally performed after decoding. However, such conventional speed conversion after decoding can cause problems, as described, for example, on page 3, lines 13-18, of the specification.

Therefore, as recited, for example, in claim 1, the speed conversion unit speed converts the extracted frame by thinning out the extracted frame or repeatedly outputting the extracted frame *prior to decoding of the audio data*.

The Examiner asserts that FIG. 14 of Taniguchi discloses a speed conversion unit thinning out a frame or repeatedly outputting the frame prior to decoding of the audio data. However, it is respectfully submitted that the portions of Taniguchi cited by the Examiner relate to a process that is performed *after decoding* of an audio signal.

More specifically, decoding typically uses a scale factor. For example, in FIG. 12 of the present application, a scale factor extraction unit extracts a scale factor. As should be understood by the arrow from scale factor extraction unit 22 to scale factor conversion unit 25, and by the arrow from scale factor conversion unit 25 to decoding unit 26, the scale factor is used for decoding by decoding unit 26. See also page 21, line 4, through page 22, line 9, of the present application.

Therefore, it should be understood that the use of the scale factor in Taniguchi indicates a decoding process.

For example, in FIG. 26 of Taniguchi, the scale factor is provided to the requantization unit. Therefore, it should be understood that decoding is performed by the requantization unit of Taniguchi.

As FIG. 14 of Taniguchi also shows a requantization means 102, it should be understood that decoding is performed by this requantization means 102 in FIG. 14 of Taniguchi.

In the Office Action, the Examiner correlates to a speed conversion unit of the claimed invention to the expansion/compression frequency control means 12-1-2 of Taniguchi.

However, as can be seen from FIG. 14 of Taniguchi, the output of the expansion/compression frequency control means 12-1-2 is used in expansion/compression processes occurring *after decoding by requantization means 102*. Therefore, if the Examiner is correct in that the expansion/compression frequency control means 12-1-2 of Taniguchi is used for speed conversion, such speed conversion appears to be similar to conventional speed conversion that is performed *after decoding*.

This operation of Taniguchi is substantially different than that recited, for example, in claim 1, where the speed conversion unit speed converts the extracted frame by thinning out the extracted frame or repeatedly outputting the extracted frame *prior to decoding* of the audio data.

In the Office Action, the Examiner refers to various elements in FIG. 26 of Taniguchi. However, please note that FIG. 26 of Taniguchi does not disclose a speed conversion process, or indicate where speed conversion would be performed with respect to decoding.

In accordance with the above comments, it is respectfully submitted that Taniguchi does not teach or suggest a speed conversion unit speed converting the extracted frame by thinning out the extracted frame or repeatedly outputting the extracted frame prior to decoding of the audio data as recited, for example, in claim 1.

The above comments are specifically directed to claim 1. However, it is respectfully submitted that the comments would be helpful in understanding differences of other rejected claims over Taniguchi.

* * *

The above arguments were presented in the Amendment filed February 21, 2007. However, the Examiner continues to maintain the rejection.

More specifically, in item 8 on page 6 of the Office Action, the Examiner asserts:

"The examiner disagrees with the arguments presented by the applicant because Taniguchi teaches at Fig. 14, speed information is given to the control means to the unpacked frame before decoding the audio data at element 103. Therefore, Taniguchi teaches, a speed conversion unit thinning out a frame or repeatedly outputting the frame prior to decoding of the audio data."

In response, it is noted that FIG. 14 of Taniguchi discloses that "speed rate information" is provided as an input to the expansion/compression frequency control means 12-1-2. As indicated in column 26, lines 7-10, of Taniguchi, the expansion/compression frequency control means 12-1-2 sets the frame cycle number and the number of frames to be expanded/compressed in the frame cycle according to a given speed rate. However, as can be seen in FIG. 14 of Taniguchi, *the output of the expansion/compression frequency control means 12-1-2 is used in expansion/compression processes occurring after decoding by requantization means 102*. Therefore, if the expansion/compression frequency control means 12-1-2 of Taniguchi is used for speed conversion, such speed conversion appears to be similar to conventional speed conversion that is performed *after decoding*.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 7-8, 14-15 AND 21-22 UNDER 35 USC 103
AS BEING UNPATENTABLE OVER TANIGUCHI IN VIEW OF
OKADA (US PATENT NO. 5,809,454)

The above comments for distinguishing over Taniguchi also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

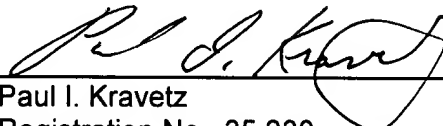
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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